

REMARKS

This is in response to the Office Action mailed June 3, 2003. Claims 1-18, 20, 23, 24, 28-30, and 34-44 have been canceled. Claims 19, 21, 22, 25-27, 31, and 32 have been amended. Claims 19, 21, 22, 25-27, 31-33 are pending in the application.

Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks. For the Examiner's convenience and reference, Applicants' remarks are presented in the order in which the corresponding issues were raised in the Office Action.

I. Rejections Under 35 U.S.C. § 102(b)

Claims 19-20 and 22 are rejected under 35 U.S.C. §102(b) as being anticipated by Waller (U.S. Patent No. 5,800,539). The Examiner states that Waller discloses a method of transplanting hematopoietic system reconstituting cells from a donor source into an allogeneic recipient. Applicants respectfully traverse the Examiner's rejection under 35 U.S.C. §102(b) based on the following reasons.

As acknowledged by the Examiner, prior to the administration of hematopoietic system reconstituting cells, an amount of mononuclear cells was administered to the recipient so as to render them incapable of proliferating and causing a lethal GVHD effect. According to Waller, **these mononuclear cells are treated with cytotoxic chemotherapeutic drugs** to render the cells incapable of proliferating and causing GVHD (Abstract; and column 4, lines 66-67; column 5, line 1). Examples of cytotoxic chemotherapeutic drugs to be employed include but are not limited to mitomycin C, bleomycin, fludarabine, and doxorubicin (column 5, lines 1-15). Thus, Waller does not teach or suggest administering an adenosine deaminase inhibitor to a transplant recipient. Therefore, Waller fails to anticipate the claimed invention under 35 U.S.C. §102(b).

II. Rejections Under 35 U.S.C. § 103(a)

Claim 19-29 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waller in combination with Trotta et al. Cancer Research, 1981, Vol. 41, pages 2189-2196 (Trotta) and Spaner U.S. Patent No. 6,258,357. Applicants respectfully traverse the Examiner's rejection under 35 U.S.C. §102(b) based on the following reasons.

As discussed above, Waller does not teach or suggest administering an adenosine deaminase inhibitor to a transplant recipient. Trotta teaches infusing mice with pentostatin

continuously at a concentration of 0.8 mg/ml for a 20-g mouse (page 2190, column 1, paragraph 3). Spaner teaches that current methods to prevent and treat GVDH involve administration of drugs such as cyclosporin-A and corticosteroids (column 1, lines 49-53). Thus, none of the cited references, independently or in combination, teaches or suggests the claimed invention. In view of this deficiency in the teaching or suggestion of the cited references, a prima facie case of obviousness has not been established.

III. Objection to Claims 30-32

The Examiner states that claims 30-32 are objected as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As discussed above, none of the cited references, independently or in combination, teaches or suggests the claimed invention as defined by independent claim 19 as originally filed. However, to expedite the prosecution, Applicants amend independent claim 19 by incorporating the limitations of dependent claim 30 and the intervening claim 23. In view of the amendment to claim 19, the pending claims are in allowable condition. Allowance of the pending claims 19, 21, 22, 25-27, and 31-33 is therefore respectfully requested.

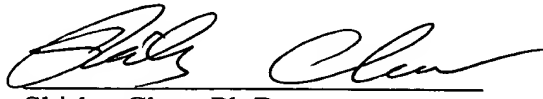
CONCLUSION

In light of the remarks and arguments set forth above, Applicants earnestly believe that they are entitled to a letters patent, and respectfully solicit the Examiner to expedite prosecution of this patent application to issuance. Should the Examiner have any questions, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,

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